



# Public Disclosure Commission

711 Capitol Way, Room 206

Olympia, Washington

October 26, 2004

9:30 a.m.

## Regular Meeting Agenda - Revised

**Note:** All times shown for consideration of agenda items (other than time of convening) are approximate and may vary, depending on the amount of discussion required for each.

9:30 a.m.	<p>I Commissioner Comments/Concerns</p> <p>II Public Comments/Concerns</p> <p>III Commission Meeting Minutes</p> <p>Approve Minutes of September 28, 2004 meeting</p>	
9:35 a.m.	<p>IV <u>Enforcement Matters</u></p> <p>Hearings</p> <p>1. <i>Jefferson County Republican Central Committee, Case #04-288</i>, alleged violations of RCW 42.17.530 by sponsoring political advertising that contains false statements about a candidate.</p>	AAG John Lane
Noon	LUNCH BREAK	
1:15 p.m.	<p>Hearings (cont.)</p> <p>2. <i>More Cops Now, Case #04-423</i>, alleged violations of RCW 42.17.040, .080, .090 and .3691 by: 1) failing to report contributions and expenditures; 2) failing to properly disclose an address and time for public inspection of campaign records eight days before the general election; and 3) by failing to electronically file reports of contributions and expenditures.</p> <p>Report</p> <p><i>Washington State Labor Council, Case #05-067</i>, 45-day Citizen Action Letter, alleged violations of RCW 42.17.100, .550, .640, .128, .040 through .080, .660, .670, .730 and .760 by: 1) failing to report independent expenditures; 2) exceeding contribution limits; 3) using public funds to affect elections; 4) failing to report as a political committee, when one of its primary purposes is to affect elections; 5) creating a "second, illegally hidden" PAC and exceeding contribution limits through this PAC; 6) failing to report earmarked contributions, and 7) using non-member fees to affect elections.</p>	<p>Phil Stutzman</p> <p>Susan Harris</p>

		Request for Review	Phil Stutzman
		<a href="#"><u>Jeffrey Utter</u></a> , Case #05-064, found to have violated RCW 42.17.040 and .240 and assessed a penalty of \$200.	
		Request for Reconsideration	Phil Stutzman
		<a href="#"><u>Daniel Goebel</u></a> , Case #05-030, found to have violated RCW 42.17.040 and assessed a penalty of \$150.	
2:20 p.m.	V	Reporting Modification New	Phil Stutzman
		<a href="#"><u>Audrey Borders</u></a> , candidate for Charter Review Commission Board Member in Whatcom County, requests an exemption from reporting the business and other governmental customers of Borders & Son Quality Roofing, Inc., a corporation she owns.	
2:25 p.m.	VI	<a href="#"><u>Rule Making</u></a>	Doug Ellis
		Discussion of potential rulemaking	
		1. Amend WAC 390-17-310 Doing Business in Washington	
		2. Amend WAC 390-37-160 Statement of financial affairs (F-1) penalty schedule	
		3. Amend WAC 390-37-165 Candidate registration statement (C-1)/candidate statement of financial affairs (F-1) penalty schedule	
		4. Amend WAC 390-37-170 Lobbyist monthly expense report (L-2) penalty schedule	
		5. Amend WAC 390-37-175 Lobbyist employer report (L-3) penalty schedule	
2:35 p.m.	VII	<a href="#"><u>Advisory Matter</u></a>	Doug Ellis
		Consider requesting an Attorney General's Opinion regarding what constitutes an "Elected Legislative Body" for purposes of RCW 42.17.130(1)	
2:40 p.m.	VIII	<a href="#"><u>Discussion of draft agency request legislation regarding "Electioneering Communications."</u></a>	Vicki Rippie and Sr. Counsel Nancy Krier
3:20 p.m.	XI	Staff Reports	
		Executive Director	Vicki Rippie
		Assistant Director	Susan Harris
		Brief Enforcement Action Summary	
		Chief Technology Officer	Michael Smith
		Senior Counsel, Attorney General's Office	Nancy Krier
3:40 p.m.	X	Executive Session	
		Discussion of pending and potential litigation with legal counsel	
4:10 p.m.	XI	Consideration of, and possible action regarding, WA State Supreme Court decision in Edelman v PDC (Supreme Court No. 74152-2).	
	XI	Adjournment	